

Notice of Allowability

Application No.

10/826,093

Examiner

Jong-Suk (James) Lee

Applicant(s)

SULLIVAN, JAMES G.

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/14/05 and telephone interview on 6/23/05.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>6/23/05</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT/COMMENT

1. The amendment filed June 14, 2005 has been entered.
2. The obviousness-type double patenting rejection over claims 1-4, 6, 9, 11-13 and 15 are withdrawn due to the fact that the present application is clarified to be directed to a different species, the abutting element, such as threaded pin 181 as depicted in Fig. 7, penetrating the outer cam collar as recited in amended claim 1.
3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Adrienne B. Naumann (Reg. No. 33,733) on June 23, 2005.

4. The application has been amended as follows:

IN THE CLAIM

Claim 10, line 47: "said threaded cam pin" has been changed to -- said threaded pin --.

Claim 11, line 2: "aluminum 6063" has been changed to -- aluminum alloy --.

Claim 16, line 2: "aluminum type 6061-T6" has been changed to -- aluminum alloy --.

Claim 17, line 2: "356-T6 sand casting" has been changed to -- aluminum sand casting--.

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Claim 18, line 2: "aluminum type 6061-T6" has been changed to -- aluminum alloy --.

Claim 18, line 3: "356-T" has been deleted.

5. The following is an examiner's statement of reasons for allowance: The prior art of record fails to disclose or fairly suggest a shoring device comprising a piston, a cylinder partially enclosing the piston, the piston and cylinder each comprising an interior wall and an exterior wall, proximal end and distal end, and a predetermined wall thickness, at least one straight metal cam pin, a mechanical device encircling the piston and cylinder, the mechanical device comprising an outer cam collar having an abutting element, such as a threaded pin, penetrating the outer cam collar, the outer cam collar movably positioned along the longitudinal axis of the piston, an inner ring attached to and encircling the cylinder, the inner ring having an inner ring circumference, a continuous circular indentation along the circumference and an indentation floor with a depth and a width, the outer cam collar concentrically enclosing the inner ring wherein the abutting element/threaded pin preventing rotational movement of the cylinder with respect to the piston by tightly abutting the indentation floor and as specifically called for the claimed combinations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jong-Suk (James) Lee whose telephone number is (571) 272-7044. The examiner can normally be reached between the hours of 6:30 AM to 3:00 PM Monday thru Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather C. Shackelford, can be reached on (571) 272-7049. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

J. Lee /jjl
June 23, 2005



**Jong-Suk (James) Lee
Primary Examiner
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